

**California State Department of Social Services
ICWA WORKGROUP**

**CDSS Headquarters
744 P Street, Conference Room 203
Sacramento, CA 95814**

May 10, 2011

Minutes

Welcome/Introductions. Participants were introduced and the previous meeting's minutes were reviewed.

Guest Speaker: Parents Anonymous. Meryl Levine and Don Pickens provided this presentation and packets were distributed. Parents Anonymous, Inc. is the nation's oldest child abuse prevention organization, dedicated to strengthening families and building caring communities that support safe and nurturing homes for all children. It continues to be the driving force for ensuring the meaningful partnership with parents resulting in successful programs and policies that respond to the needs of families through a unique "shared leadership" approach ensuring the achievement of the *Strengthening Families* protective factors. Shared leadership provides a platform for parents and staff to work together in the design and delivery of services and policies that impact children, families, communities and society in general. Shared leadership represents a shift in practice by replacing traditional approaches of "doing to" with "working together with" parents. Research shows positive changes in child welfare practices. The Shared Leadership work expands with the development of the California State Parent Team (CSPT), which consists of parents selected through a nomination process who are a highly trained, active and culturally diverse group that works in partnership with Parents Anonymous, CDSS, community-based organizations, county agencies and other family support programs. The CSPT was developed to ensure that parents are engaged in program and policy decisions to shape the direction of family support services and policies throughout California. The CSPT is currently seeking new tribal representation. Meryl and Don asked if workgroup members wish to nominate someone for this position, they can request a nomination form be sent to them.

Standing Discussions.

State Budget Update. Greg Rose (CDSS Deputy Director) was present at the tribal caucus on this date and discussed the budget. Joyce Dowell gave this report to the full workgroup. The budget information has been prevalent in the news recently. We do not know much more than what has been discussed in the news at this point. Right now CDSS and all other departments are working on realignment, which involves shifting funding and activities to the local level where possible. The concept and focus are currently changing on a daily basis. The recent release of the Governor's Executive Order (EO) B-06-11 impacts the ability of CDSS staff to

travel and to attend conferences. Additionally, all contracts are being carefully scrutinized for potential realignment. You can read the Executive Order at <http://gov.ca.gov/news.php?id=17008>.

Legislation.

- AB 968, Chesbro: Mary Enriquez (CDSS) is tracking a bill (AB 968, Chesbro) which would require all state agencies to cooperate with federally recognized California Indian tribes on matters of economic development and improvement for the tribes. It would also require every state agency to adopt a policy of communication and consultation with, and require the Governor to meet at least annually with elected officials of California Indian tribes, regardless of whether a tribe qualifies as a federally recognized tribe. It would establish the position of Native American Advisor on Tribal Issues in the Governor's office to be a member of a federally recognized California Indian tribe, and would require the advisor to serve as a resource to the Governor and state agencies on issues affecting the tribes and be an advocate on behalf of all California Indian tribes, regardless of whether a tribe qualifies as a federally recognized California Indian tribe. *(While this information was not available at the workgroup meeting, it is being shared in these minutes.)*
- AB 12 Implementation: Karen Gunderson gave a report on the implementation of AB 12. This bill was signed into law last year and basically requires California to conform to federal law in order to maximize federal financial participation by opting into KinGAP provisions. Additionally, AB 12 extends transitional foster care services for eligible youth between 18 and 21 years of age pursuant to the federal Fostering Connections to Success and Increasing Adoptions Act of 2008 (Fostering Connections Act). It extends ILP services for foster children aging out of the system. It was suggested that informational packets on AB 12 be provided to Nancy Currie and/or ICWA Conference organizers for conference attendees that should include a brief summary of the bill, what it does, as well as answers to FAQs. Packets should also include some information on AB 2418, which also passed last year, and broadens the definition of "Indian child" to include youth in care up to age 21. The idea of having focus groups with tribes/tribal community re: AB 12 implementation was discussed. Nancy explained that the most effective way she has found to communicate with California tribes is via fax. Nancy has a list of fax numbers and will share for getting a joint Greg Rose/co-chair letter sent to tribes.

Statewide Training and Education Committee (STEC). There was nothing to report to the workgroup.

Division 31 Regulations. The regulation changes continue to move through the review process.

TCA Updates/Discussion. Nancy Currie mentioned that their website, www.caltca.org, should be up and running by the end of May. Currently, the site only shows a face page. She also mentioned a TCA that was just finalized in San Diego County and another to be completed sometime this month in San Joaquin County. CDSS requested a "test run" data report of cases to better understand if the Special Project Code (SPC) in CWS/CMS is being used and

how many cases are affected. That information had not yet been received by the date of this workgroup meeting, but will be presented to the workgroup once it is available.

CWS/CMS and Data Discussion. Colin Kelley (OSI) mentioned that the CWS/CMS data release 6.5 is due out in March 2012. This release includes the System Change Request (SCR) 8427, which will allow better tracking of TCA...beyond the current SPC. Liz Sandoval (CDSS Attorney) suggested that a summary of TCA cases we know of be provided to workshop participants at the upcoming ICWA Conference, and then try to gather more information from participants at the conference workshop.

Annual Progress and Services Report (APSR) Update. Jennifer White (CDSS) gave a brief report regarding the APSR and reminded the workgroup about providing their feedback by the June 1, 2011 deadline. The APSR is due to the feds (ACF) by June 30, 2011. She directed members to look at the table of contents and focus on the ICWA-related sections and Chafee if the entire document was too much to review.

California Partnership for Permanency (CaPP). Karen Gunderson gave this report and provided a handout (re: Institutional Analysis). An update regarding the status of the project was provided. The project is seeking tribal representation for review/institutional analysis for Humboldt County, and asked that interested individuals please contact either Karen or Ashley. CaPP just finished the analysis for Santa Clara County. The CaPP Project delayed the institutional analysis for Humboldt in order to work on tribal engagement. The CaPP project plans to continue efforts to respectfully outreach more broadly for engagement of tribes and now recognizes the importance of government leadership to government leadership engagement in this process. There were discussions to confirm recent conversations Greg Rose had with the co-chairs and the Tribal Caucus regarding intentions to improve tribal engagement on behalf of the Department. As part of the discussion with Greg, there are plans to write a joint letter with Greg, the ICWA Workgroup co-chairs and the CaPP project in order to solicit institutional analysis (IA) reviewers and seek tribal engagement in the CaPP project. Additionally, there was some discussion regarding the need to engage tribes and counties beyond those identified in the initial implementation counties of the CaPP project (Humboldt, Fresno, LA and Santa Clara) to include tribe experiences with counties from throughout the state (and possibly even the nation) as well as to consider some of the successful practices, collaborations, etc. in other counties (Sonoma, Riverside, San Diego were explicitly mentioned).

Format Options for ICWA Workgroup. Diana (CDSS) had done some research on various methods for conducting our bi-monthly workgroup meetings (e.g., web meeting, video conferencing, conference call) to give ideas for alternatives to meeting in person, since many counties, tribes and the state staff are restricted from traveling except for "mission critical" functions. Nancy mentioned that, during his time with the tribal caucus that morning, Greg Rose mentioned that he would like to keep the schedule unchanged at this time. We will continue to explore video conferencing options.

ICWA Unit Duty Statements and CDSS Contact List for ICWA Related FAQs. The workgroup was reminded that the ICWA Unit duty statements were emailed to the tribal co-

chairs in February, and the CDSS Contact List was emailed to the workgroup in December. CDSS is open to answering questions from the workgroup regarding this information.

Administrative Office of the Courts Report and Discussion. Ann Gilmour, AOC Attorney, stated that their website has changed, so please let them know if anyone discovers glitches or dropped links. A concern was raised regarding the “self-help” web pages that the AOC provides. The concern was that some issues require the technical assistance of a real person, rather than an online guide. Furthermore, there are many self-help centers that do not know how to help people fill out the ICWA and guardianship forms...even organizations that are funded with state and federal money. Ann asked that people provide public comments on a proposal to amend Rule 8.409. Kimberly Cluff will work on language relating to guardianships; however, the entire workgroup needs to assist and provide comment. *See the AOC Report (handout) for complete AOC update.*

Structured Decision Making (SDM) Discussion. It was briefly mentioned at the March meeting that some folks expressed concern with the way that counties are using the SDM tool. SDM is a measurement tool that counties can use to determine if it is safe to keep child in the home, and it can be used throughout the life of a case. There is concern, however, because in one case a county used the tool in support of removing an Indian child from a family and referred to use of the tool as being “active efforts”. It was suggested that a presenter from the CRC come to one of our workgroup meetings to discuss the SDM and explain how it should properly be used. If a presenter cannot attend in person, a webinar would be welcomed. Ashley explained that she would look into the SDM issues and try to schedule a presentation on the SDM for the next meeting if possible.

Subcommittee Updates.

Clarifying Status of Subcommittees. CDSS will work with the tribal co-chairs to clarify the status of subcommittees and whether or not some of them need to be revived, and will share with the rest of the workgroup for open discussion at a future meeting.

ICWA Training Subcommittee and ICWA Curriculum for County Social Workers and for Tribal Advocates/Social Workers. Out of the subcommittee, CDSS continues to work on the review for eventual release of ICWA curriculum. There was discussion regarding the link provided to the first curriculum released as a product of the subcommittee. An email was sent on May 9, 2011 providing a link to the draft curriculum. The curriculum was developed based on curriculum from Tribal STAR and incorporates the feedback received in the curriculum workshops conducted at the June 2010 ICWA conference. The curriculum is not complete without the review and feedback from the tribal community and, as such, the workgroup and community are requested to review and provide feedback. The link to the curriculum will be provided again via email and additional curricula will be sent for review and feedback in the coming months.

18th Annual Statewide ICWA Conference. It was recently explained to the Santa Rosa Rancheria Tachi-Yokut Tribe, host of this year’s Statewide ICWA Conference, that the governor’s recent Executive Order (EO) impacts our ability to continue processing the grant for

the ICWA Conference. It explicitly outlines restrictions on travel, which impacts our ability to attend conferences and, therefore, the ability to fund conferences is now under scrutiny. Although we do not currently know the details involved with the implications of this order, we wanted to share the news and potential risk with the tribe as soon as we knew. The processing of the grant for the conference is currently at a halt until a determination is made regarding the funding availability. Until the determination is made regarding funding availability, CDSS will continue to make efforts to seek out alternative options for our continued support. Likewise, all contracts are being carefully scrutinized and are on the table for consideration in the realignment efforts. The group discussed the fact that Greg Rose joined the morning tribal caucus and discussed the ICWA Conference grant from CDSS, as well as tribal engagement in the CaPP project and the department's desire to improve meaningful tribal engagement more generally.

Next ICWA Workgroup Meeting Discussion. The next meeting is scheduled for Tuesday, July 12, 2011, and is scheduled to be hosted by a central California tribe. The question was raised as to whether a workgroup meeting should still be held, in light of the fact that the ICWA Conference will be held in central California just two weeks prior and in light of the budget issues that impact many participants' travel. Crystal Soto offered up a meeting room for Sunday, June 26, if the workgroup or tribal caucus wanted to meet there in lieu of having a July meeting. Diana Orcino will poll workgroup members on whether or not to have a meeting at the conference site on June 26, or whether or not we should have July 12 meeting. *(The majority of workgroup members later voted to postpone meeting until our next scheduled meeting on September 13, 2011 in Sacramento.)*

Announcements. Lee Ann informed the workgroup that an email was sent out to them inviting them to consider being a presenter at a California Child Abuse Prevention and Early Intervention Summit that will be held on September 22-23, 2011 in San Diego. She acknowledged all the good work being done in California by tribal agencies and tribes in the area of prevention and early intervention that really should be highlighted at the Summit. The workshops will be held on September 23. The deadline for submitting proposals was extended to May 13th, but if Strategies knows there is interest and/or you are working on a proposal, the deadline may be further extended. The Call for Presenters may be accessed via the link: http://www.familyresourcecenters.net/assets/library/183_summitcallforpresenters20.pdf.

CDSS informed the workgroup that our OB-9 Conference Room 203 has recently had video conferencing equipment installed. However, installation is not complete and it is not yet available for use. CDSS will keep the workgroup apprised of status/availability of this as an option for our meetings.